



2016 CHAPTER 4

PART 2

INVESTIGATIONS

Conduct of investigations

Obstruction and contempt

33.—(1) If any person without lawful excuse“

- (a) obstructs the Ombudsman, any member of staff of the Ombudsman or any person authorised in accordance with paragraph 14(2) of Schedule 1 in the performance of functions under this Act, or
- (b) is guilty of any act in relation to an investigation under this Act which, if that investigation were a proceeding in the High Court, would constitute contempt of court,

the Ombudsman may certify the offence to the High Court.

(2) Where an offence is certified under this section, the High Court may inquire into the matter and, after hearing“

- (a) any witnesses who may be produced against or on behalf of the person charged with the offence, and
- (b) any statement that may be offered in defence,

may deal with the person charged with the offence in any manner in which the court could deal with the person if the person had committed the like offence in relation to the court.

(3) This section does not apply to the taking of any action mentioned in section 30(10).

Changes to legislation: There are currently no known outstanding effects for the Public Services Ombudsman Act (Northern Ireland) 2016, Section 33. (See end of Document for details)

Modifications etc. (not altering text)

- C1** S. 33(1) applied (with modifications) by [Local Government Act \(Northern Ireland\) 2014 \(c. 8\), s. 63\(1\)\(4\)](#) (as substituted (1.4.2016) by [Public Services Ombudsman Act \(Northern Ireland\) 2016 \(c. 4\), s. 64, **Sch. 7 para. 5**](#) (with ss. 23, 50(3), [Sch. 2 para. 9](#)))
- C2** S. 33(1) applied by [Local Government Act \(Northern Ireland\) 2014 \(c. 8\), s. 63\(4\)](#) (as substituted (1.4.2016) by [Public Services Ombudsman Act \(Northern Ireland\) 2016 \(c. 4\), s. 64, **Sch. 7 para. 5**](#) (with ss. 23, 50(3), [Sch. 2 para. 9](#)))
- C3** S. 33(1) applied by [Local Government Act \(Northern Ireland\) 2014 \(c. 8\), s. 63\(9\)\(d\)](#) (as substituted (1.4.2016) by [Public Services Ombudsman Act \(Northern Ireland\) 2016 \(c. 4\), s. 64, **Sch. 7 para. 5**](#) (with ss. 23, 50(3), [Sch. 2 para. 9](#)))
- C4** S. 33(2) applied (with modifications) by [Local Government Act \(Northern Ireland\) 2014 \(c. 8\), s. 63\(1\)\(4\)](#) (as substituted (1.4.2016) by [Public Services Ombudsman Act \(Northern Ireland\) 2016 \(c. 4\), s. 64, **Sch. 7 para. 5**](#) (with ss. 23, 50(3), [Sch. 2 para. 9](#)))
- C5** S. 33(2) applied by [Local Government Act \(Northern Ireland\) 2014 \(c. 8\), s. 63\(4\)](#) (as substituted (1.4.2016) by [Public Services Ombudsman Act \(Northern Ireland\) 2016 \(c. 4\), s. 64, **Sch. 7 para. 5**](#) (with ss. 23, 50(3), [Sch. 2 para. 9](#)))
- C6** S. 33(2) applied by [Local Government Act \(Northern Ireland\) 2014 \(c. 8\), s. 63\(9\)\(d\)](#) (as substituted (1.4.2016) by [Public Services Ombudsman Act \(Northern Ireland\) 2016 \(c. 4\), s. 64, **Sch. 7 para. 5**](#) (with ss. 23, 50(3), [Sch. 2 para. 9](#)))

Changes to legislation:

There are currently no known outstanding effects for the Public Services Ombudsman Act (Northern Ireland) 2016, Section 33.